

The State Board of Education/State Board for Vocational Education held its regular meeting on Thursday, September 20, 2012, in the Cabinet Room of the John G. Townsend Building, Dover, Delaware.

Present were: Teri Quinn Gray, President; Jorge L. Melendez, Vice President; Gregory B. Coverdale, Jr., G. Patrick Heffernan, Randall L. Hughes, II, Barbara B. Rutt, Dr. Terry M. Whittaker, and Mark T. Murphy, Executive Secretary and Secretary of Education. Donna R. Johnson, who serves as the State Board's Executive Director, was also present.

Also in attendance were Catherine Hickey, Deputy Attorney General and legal counsel for the State Board of Education; Karen Field Rogers, Associate Secretary for Financial Reform and Resource Management, Dr. Susan Haberstroh, Acting Associate Secretary for College and Workforce Readiness; and Mary Ann Mieczkowski, Acting Associate Secretary for Teaching and Learning.

Attending portions of the meeting in conjunction with agenda items: Charlie Michels, Jacob Blacksten, Laura Pomatto, Larry Pomatto, Steven Mercer, Holly Strickland, Caesar Rodney High School, Elvina Knight, Caesar Rodney High School, Peggie Birch, Caesar Rodney High School, Lisa Stoner-Torbert, Dr. Kevin Fitzgerald, Caesar Rodney School District; John Carwell, Lamont Browne, East Side Charter School; Charlie McDowell, East Side Charter School and Justin Pascale, East Side Charter School; Dr. Michael Stetter, and Sara Kerr.

Also attending: John Hindman, Deputy Attorney General; Susan Francis, Delaware School Boards Association (DSBA); Kristin Mullen, Governor's Advisory Council for Exceptional Citizens; G. Scott Reihm, Delaware Association of School Administrators (DASA); Kendall Massett, Delaware Charter School Network; Nichole Dobo, Leighann Hinkle, Budget Office; Amber Cooper, Budget Office; Lateefah Binateeg, Wesley College; Robin Maracle, Wesley College; and Chantel Janiszewski,.

Call to Order

President Gray presided over the monthly meeting and called the meeting to order at 1:00 p.m. She welcomed all guests to the State Board's monthly public meeting.

Approval of Agenda

The first order of business was approval of the agenda. A motion was made by Mr. Coverdale to approve the agenda as presented. The motion was seconded by Mr. Hughes and carried with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

Approval of Minutes

Regular Meeting- August 16, 2012

Dr. Gray noted that the Board received a copy of the minutes prior to the meeting. A motion was made by Dr. Whittaker to approve the minutes of the State Board regular meeting held on August 16, 2012. The motion was seconded by Mr. Hughes and carried with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

Formal Public Comment

It was indicated that this was the time the Board set aside for formal public comment. Dr. Gray announced that no individuals signed up to address the State Board.

State Board Business

Committee Reports from State Board Members

Dr. Whittaker attended the press event on the release of the Charter School Performance Frameworks held earlier at the Academy of Dover. Governor Markell, Secretary Murphy and Dr. Gray all provided comments.

Mr. Melendez attended Cape Henlopen School District's new hire event for teachers. He noted two teachers that he met -- Jessica Nebbed from Iowa and Tara Frederick from New Jersey. Both new teachers wanted to come and teach in Delaware because of the great things Delaware is doing.

Mr. Coverdale attended a board meeting of the Christina School District. He stated that both Bayard and Palmer received recognition for exposing their students to the college experience.

Mr. Heffernan attended the event at the Academy of Dover where the Charter School Performance Frameworks were released. He also attended a charter school work group meeting which was a result of the public hearing that Representative Schooley scheduled earlier in the year. Mr. Heffernan is scheduled to visit the YES Prep charter school in Houston as part of a Delaware team trip sponsored by Rodel. The YES Prep has an excellent graduation rate, 100% college acceptance rate for graduates, serves predominantly low income students and Mr. Heffernan is looking forward to visiting the schools.

Ms. Johnson noted that the past month has been quite busy and asked the Board to review the information provided on eBoards. She commented on the turnout for the press event for the Charter School Performance Framework and talked of the collaboration and the many stakeholders that were involved in this initiative. Ms. Johnson will also be visiting the YES Prep schools in Houston. She indicated that the College and Career Readiness Subcommittee and Data Governance Subcommittee have been meeting. Both subcommittees report to the P-20 Council. Ms. Johnson also represented the State Board at the farewell event for Deputy Secretary of Education Dan Cruce. Mr. Cruce was presented with the State Board's Order of Excellence.

President Gray spoke of the many webinars and the series of stakeholder meetings on the Charter School Performance Framework. She thanked Secretary Murphy, the Charter School Office and especially Ms. Johnson for her leadership on this initiative.

State Board Budget (For Information)

Ms. Johnson indicated that the Board received a copy of the draft budget. The Budget Committee will meet and present the Board's final budget for approval at the October State Board meeting.

State Board of Education Special Recognition

Dr. Gray explained that the State Board wished to recognize Jacob Blacksten and read part of a recent article that was published in the News Journal. Jacob is the *PowerPoint 2010* world champion on Microsoft Office. A total of 113 finalists from 53 countries competed at the annual Certiport Worldwide Competition on Microsoft Office. Initially, the competition attracted more than 285,000 candidates worldwide who competed to demonstrate their mastery of Microsoft Office products including Excel, Word and PowerPoint. Jacob is the first ever recipient of the award from the United States. Jacob is a 2012 graduate of Caesar Rodney High School and currently enrolled at the University of Delaware.

Jacob developed a PowerPoint presentation that outlined his journey to being the world champion and the challenges he faced along the way and shared it with the State Board. Jacob was presented with the State Board's Order of Excellence from Dr. Gray and Secretary Murphy presented the Secretary's Merit Award. Ms. Johnson presented a letter of congratulations and

tribute from Governor Markell and Lt. Governor Denn. Joining Jacob for the recognition were his mother and stepfather, several of his teachers from middle school and high school along with CR High School Principal Elvina Knight and district superintendent Kevin Fitzgerald. BPA state adviser Lisa Stoner Torbert was also present. Congratulations were extended.

Presentation from East Side Charter School

School Leader Lamont Browne and Justin Pascale from East Side Charter School provided an update to the State Board on the school's progress. The goals for the school as they move forward focus on academic achievement, school climate and stakeholder satisfaction. The Board was provided with data on increases in student achievement. Proficiency increased to 49% for reading, which exceeds the school's 2012 goal of 40%. In mathematics, proficiency increased to 52% which exceeds the school's goal of 45%. The school realizes that additional work needs to be done so more students reach proficiency but feels they are on the right track. The school had 40 more students that scored proficient in Reading in 2012 than in 2011 and there were 30 more students that scored proficient in Mathematics. When comparing DCAS scores in the fall of last year to this fall, the school had 24 more students who scored in PL-2B or above in Math or Reading than last year.

Dr. Browne highlighted the parent survey the school conducted and the results. He also provided an overview of activities and initiatives the school is undertaking to improve school climate and spoke of the importance of teacher retention. The school retained 95% of its teaching staff and 90% of its students. Dr. Browne noted that the school is using data to drive its decisions. He stated he feels the school is moving in the right direction.

Vice President Melendez presided over the discussion and questions as Dr. Gray had to excuse herself for a brief period of time. Discussion with State Board members followed on activities the school has used for its parents and supporting its students. The Board also inquired about which high schools East Side students attend. The Board noted that the school's vision and goals were clear and commended the school on its evident student growth, but challenged the school to continue setting high goals to help them reach state expectations of performance. Dr. Browne also indicated that the school is looking forward to revising their performance agreement to be aligned with the new performance framework and appreciates the opportunity to measure performance by multiple measures. The Board encouraged him and his Board of Directors to seek out this opportunity with the Charter School office and looks forward to working with him in this endeavor.

Department of Education AYP and Accountability Presentation

Dr. Michael Stetter, Director, Accountability Resources, along with Dr. Susan Haberstroh, Acting Associate Secretary for College and Workforce Readiness and Sara Kerr, Chief Officer, Delivery Unit, presented the school accountability summary. This year's highlights showed significant growth in achievement in the 2011-2012 school year with 73% of the students scoring proficient in reading. This is an increase of 12% between 2011 and 2012 and equals to 10,054 more students proficient in reading. It also showed that 72% of students were proficient in

mathematics, an increase of 10% between 2011 and 2012 or an additional 9,084 more students proficient in mathematics. The ESEA Flexibility waiver designates support to districts and charter schools with the districts and charter school providing support to their schools. The support is tailored to the needs of the districts and charters. The waiver also eliminates the previous labeling of schools and the levels of support will be specified as Minimal, Moderate, Advanced or Intense. The four year adjusted graduation rate was explained and that the Adequate Yearly Progress (AYP) was calculated using DCAS scores in reading and mathematics, other indicators and performance, either through the growth model or the original model. The Board was informed of the changes to the N count for accountability and reporting.

Calculations were made for 213 schools (104 elementary, 34 middle schools, 30 high schools, 21 charter, 5 combination schools and one agency school). Of those schools, 182 made AYP and 31 schools did not. Two schools are acknowledged as awards schools, the highest performing Title I school (Long Neck Elementary) and the highest progress Title I school (Lake Forest South Elementary). Reward schools announced for this year are based on 2010-2011 data and each school will receive a \$50,000 award. Fifteen schools will be acknowledged as recognition schools and will be annually identified beginning in the 2012-13 school year. Schools and their awards will be announced in October along with another round of Reward schools based on 2011-12 assessment data.

There are also Focus schools and they are identified as those with the largest within-school gaps between the highest-achieving subgroup or subgroups and the lowest-achieving subgroup or subgroups, or at the high school level has the largest within-school gaps in graduation rate, or has a subgroup or subgroups with low achievement, or low graduation rates. And the final group of schools is the Partnership Zone Schools or Priority Schools. These are Title I schools that are persistently low achieving. Schools remain in the Partnership Zone as Priority Schools for three years.

Ms. Kerr explained the progress reviews and performance evaluations along with the follow ups that are provided to the districts. These are differentiated based on the needs of districts and it also helps the districts identify their strengths and weaknesses.

There was discussion by the Board on the ESEA targets aligning with RTTT targets and how there is a disconnect. Ms. Kerr indicated that discussions are underway to determine if the Department will amend its Race to the Top application for that alignment. The Department does not want to lower the bar so a compromise will be worked out. Dr. Gray stated that the key point was that the bar would not be lowered but you also do not want to have targets lag. Ms. Kerr will share any additional information she receives.

The Board recessed at 2:56 p.m. for a short break and reconvened at 3:16 p.m.

DCAS End of Course Assessment Standard Setting

Dr. Michael Stetter, Director, Accountability Resources, presented the recommendations for the End-of-Course standard settings for Algebra I, Integrated Math I, English II, Biology, and US History. The Board will be asked to take action at its October meeting.

There are currently seven available end of course exams; Algebra II and Integrated Math III will be confirmed next summer. Dr. Stetter explained the process and the benchmarking that was done by AIR. A total of 71 panelists attended the workshop (panelists included teachers, parents, business and community leaders) and end of course (EOC) assessment standards were recommended in:

- Algebra I
- Biology
- English II
- Integrated Math I
- U.S. History

The panelists were instructed to set their EOC standards no lower than the DCAS summative test standards adopted by the State Board of Education in September 2010. Feedback was received on the impact of their proposed EOC standards and cut scores compared with DCAS standards. Dr. Stetter noted that the Delaware panelists established rigorous performance standards. The new EOC standards are higher than the DCAS performance standards, but somewhat lower than PISA Level 3 or PSAT College Readiness markers. These recommendations will be challenging for Delaware students and the Board received the impact data from these standards. There was discussion by the State Board on the correlation of end of course exams as it relates to the Smarter Balanced assessment and the Common Core standards. Secretary Murphy explained that the Department still has a lot to accomplish on Common Core and Smarter Balanced alignment.

The Smarter Balanced assessment will be piloted and field tested in 2012-13 and 2013-14 as a part of the assessment consortium. The ultimate goal is to increase students' college and career readiness. There was discussion on the new DCAS items and alignment to the Common Core standards. There was also discussion on the instructional shifts due to Common Core. It was noted that additional Board presentations in coming months were further outline these efforts in detail.

DOE Strategic Plan Update - RTTT Status Update

Sara Kerr, Chief Officer of the Delivery Unit, provided the Board with an update on Race to the Top, with a focus on the status of statewide and district-specific initiatives, progress towards student performance goals, and plans to support LEAs' implementation efforts in the coming year. The Board received an overview and background information that begin with the Department's strategic plan and the four pillars that were the focus of the Race to the Top application.

The Board received an update on the performance goals that focus on DCAS proficiency, NAEP proficiency, graduation goals and college readiness. Ms. Kerr highlighted some of the new initiatives taking place in our districts as well as statewide initiatives that have been implemented.

There was discussion on the levels of support for the districts and it was noted that the support would be tailored to the needs of the district. Secretary Murphy stated that the districts responded

to a survey that identified what the found most useful and many indicated that it was the performance evaluations and reviews. These are data driven conversations and are used to make decisions around DOE support as well as assist LEA's in programmatic evaluation.

Secretary's Report, Review and Discussion

Secretary Murphy thanked the State Board members for their support on the charter academic framework. He commented on his meeting with the Teachers of the Year group and how they are a positive voice. The group consists of past teachers of the year for Delaware and local districts. Mr. Murphy also recently attended a meeting of the Smarter Balanced Assessment Consortium noting that Delaware is a governing state. He stated that with our DCAS adaptive assessment, Delaware is ahead of other states. Smarter Balanced will be release assessment items in October and the items will be available for viewing online through an interactive website. He also noted that the Smarter Balanced Assessment will include an extended writing component.

Secretary Murphy introduced new leadership members. He announced that David Blowman would be joining the Department as the Deputy Secretary of Education and Mary Kate McLaughlin came aboard as Chief of Staff. Shelley Rouser is new to the Department and will work on Common Core initiatives and assist with the Partnership Zone schools. Keith Sanders will join the Department soon as the leader for the Turn Around Unit and Mr. Murphy commented on the many achievements of Mr. Sanders. Present at the meeting were Dr. Susan Haberstroh who is serving as the Acting Associate Secretary for College and Workforce Readiness and Mary Ann Mieczkowski, who is serving as the Acting Associate Secretary for Teaching and Learning. The Department is currently advertising for a Chief Academic Officer for the Teaching and Learning Branch.

Secretary Murphy highlighted his visits to schools this month and noted it was an inspiring experience. He reminded the Board to stay connected to schools and to visit them to see what great things are happening in Delaware's schools.

Action Items

Department of Education Regulations

Dr. Susan Haberstroh presented the Department's regulation on the Board agenda.

930 Supportive Instruction (Homebound) (For Action)

The Secretary of Education intends to amend 14 DE Admin. Code 930 Supportive Instruction (Homebound) in response to legislative action as well as other changes that have been brought forward through this review of the regulation. Legislation from the 146th General Assembly codified a requirement that Department of Education regulation define eligibility for supportive instruction for school district and charter school students; identify the licensed professional authorized to certify eligibility. Additionally, an amendment was made to address identification of those areas for supportive instruction that are not a result of sudden illness, injury, accident, or episodic flare up of a chronic condition.

Dr. Haberstroh stated that comments were received from the Governor's Advisory Council for Exceptional Citizens and the State Council for Persons with Disabilities and are addressed in the final order.

A motion was made by Mrs. Rutt to adopt revised regulation 14 Delaware Administrative Code 930 Supportive Instruction as presented by the Department. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

The State Board signed the Order.

Professional Standards Board

Charles Michels, Executive Director of the Professional Standards Board, presented the PSB items on the agenda.

1501 Knowledge, Skills, Responsibilities, and Responsibility Based Salary Supplements for Educators (For Publication)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to reauthorize regulation DE Admin. Code 1501 Knowledge, Skills, and Responsibility Based Salary Supplements for Educators. It is necessary to review this regulation in order to comply with the 5 year regulation review process. No changes have been deemed necessary. This regulation sets forth the requirements for Knowledge, Skills, and Responsibility Based Salary Supplements for Educators.

1508 Special Institute for Teacher Licensure and Certification (For Publication)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to reauthorize regulation DE Admin. Code 1508 Special Institute for Teacher Licensure and Certification. It is necessary to review this regulation in order to comply with the 5 year regulation review process. No changes have been deemed necessary. This regulation sets forth the requirements for the Special Institute for Teacher Licensure and Certification.

1509 Meritorious New Teacher Candidate Designation (For Publication)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to reauthorize regulation DE

Admin. Code 1509 Meritorious New Teacher Candidate Designation. It is necessary to review this regulation in order to comply with the 5 year regulation review process. No changes have been deemed necessary. This regulation sets forth the requirements for a Meritorious New Teacher Candidate Designation.

A motion was made by Mr. Hughes to approve publication the three reauthorized regulations as presented. The motion was seconded by Mr. Melendez and carried with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

1543 Secondary Science Teacher (For Publication)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to reauthorize regulation DE Admin. Code 1543 Secondary Science Teacher. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 Del.C. §1220(a). It was necessary to review and amend this regulation in order to provide clarification regarding secondary science curricular areas and the necessity for secondary science teachers to hold the appropriate Standard Certificate in each secondary science curricular area they are teaching. This regulation sets forth the requirements for a Secondary Science Teacher.

1553 Driver Education and Traffic Safety Education Teacher (For Publication)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1553 Driver Education and Traffic Safety Education Teacher. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 Del.C. §1220(a). It is necessary to amend this regulation in order to update the current required coursework/professional development and Driver's license requirements. This regulation sets forth the requirements for a Driver Education and Traffic Safety Education Teacher.

1591 School Principal and Assistant Principal (For Publication)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1591 School Principal and Assistant Principal. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 Del.C. §1220(a). It is necessary to amend this regulation in order provide research-based pathways to certification for school building leaders. This regulation sets forth the requirements for a School Principal or an Assistant Principal.

A motion was made by Mr. Hughes to approve publication the three amended regulations as presented. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

1595 Certification Programs for Leaders in Education (For Publication)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to adopt regulation DE Admin. Code 1595 Certification Programs for Leaders in Education. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 Del.C. §1220(a). It is necessary to adopt this regulation in order to define and set out parameters for additional programs for Delaware leaders in education. This regulation sets forth the requirements for Certification Programs for Leaders in Education. A motion was made by Mr. Heffernan to approve the publication of this new regulation. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

Delaware Leadership Project (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to approve a third cohort of the Delaware Leadership Project, as provided by Innovative Schools.

A motion was made by Dr. Whittaker to approve a third cohort of the Delaware Leadership Project as provided by Innovative Schools. The motion was seconded by Mr. Heffernan and carried with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

Ms. Hickey, Deputy Attorney General and legal counsel for the State Board, commented that proposed regulation 1595, when adopted, would regulate these types of programs.

Charter Schools

John Carwell, Director of the Charter Schools Office, presented the charter school items.

Charter School Performance Frameworks

Mr. Carwell publicly thanked the State Board and especially Ms. Johnson for their work on the charter school performance framework. He highlighted the press event from the morning and noted the comments made by Mr. Greg Richmond from the National Association of Charter School Authorizers. He thanked the charter school stakeholders and the Academy of Dover for hosting the event. With the framework now in place; it is time for implementation.

Dr. Gray stated that the Department is seeking the assent of the State Board for the rubric based tool to be used to assess the performance of charter schools and the Performance Framework as presented. A motion was made by Mrs. Rutt to approve the rubric based tool to be used to assess the performance of charter schools and the Performance Framework as presented. The motion was seconded by Mr. Melendez and carried with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

The Charter School Office will be visiting all charter schools about revising their performance agreements and review their trial run results of the frameworks.

Ms. Johnson stated that through the State Board, research will be extended by Public Impact to develop guidance in alternative performance measures for schools serving as defined in

regulation as a special student population. Positive Outcomes has expressed an interest in being involved in this work and drafting a new performance agreement.

There was discussion on when the performance framework tool would be effective or mandatory instead of optional and the transition. Mr. Carwell stated that all charters going forward would fall under the performance framework and the same for schools as they come up for renewal. Ms. Johnson pointed out that the regulation indicates that the charter performance framework is a tool that schools can use to measure compliance and schools may wish to revise their performance agreements based on the frameworks. Dr. Gray stated that the performance agreement and performance reviews would help the Board hold charter schools accountable. The Board, the charter school accountability committee, and other stakeholders including charter leaders and boards will receive training on implementing the charter performance framework.

Application to Renew - Thomas Edison Charter School (For Information)

The Board of Directors of Thomas Edison Charter School has submitted an application to renew the school's charter for an additional term of five years on September 4, 2012. The Secretary referred the renewal application to the Charter School Accountability Committee for review and recommendations.

Application to Renew - Sussex Academy of Arts and Sciences (For Information)

The Board of Directors of Sussex Academy of Arts and Sciences have submitted an application to renew the school's charter for an additional term of five years on September 4, 2012. The Secretary referred the renewal application to the Charter School Accountability Committee for review and recommendations.

Ms. Johnson commented that links are available for the State Board to view the renewal application. Dr. Gray asked that the Charter Office share the timeline for meetings and public hearings with the State Board.

Charter Schools (For Information)

The Board received its monthly charter school update.

Update on Moyer Academy (For Discussion)

Mr. Carwell distributed a memo that provided an update for the State Board on the New Moyer Academy. He noted that the school was in its actual first year of operation and its charter as the school was contracted to K-12 for its operation for the past two years. The Charter Office has been tracking the school's enrollment which currently is 186 students or 12.39 units. He provided three year and three month trends for the school's enrollment. He indicated that the school is making an effort to hire more experienced staff and the school has no first year teachers this year. Teachers are also receiving professional development and the school's culture is remarkably different than it has been in past years. The school has a new school leader and the

former principal and lead teachers have been identified and are strengthening the leadership capacity at the school. Mr. Carwell highlighted some of the building renovations and the orientations held by the school for parents and students in August. The Board of Directors is new and under the leadership of Dr. Christopher Curry has been instrumental in the success of the school since opening this year. Mr. Carwell noted that for the past two years under K-12, the school operated a predominantly online program. That approach was not as effective as they wished so the school has moved to a traditional teaching model. For the 2012-2013 school year, all Moyer students will be engaged in a traditional instruction program. Mr. Carwell explained that based on low test scores, Moyer was classified as a Focus School and has submitted its focus school plan to improve student achievement.

Secretary Murphy commented on his visit to the school noting it was unannounced. It was acknowledged that the school has its challenges and the Department will be monitoring the school as part of its support to the school.

The Board commented on the school's enrollment noting that 186 student is well below the number the school is authorized to enroll. Dr. Gray noted the figure listed on the charter school update was 525 students. Mr. Carwell explained that the 500 number was after the full expansion of the school as outlined in their application, but currently their allowable enrollment this year was 365. There was discussion on the academic performance of the students enrolled there and student growth. The Board also inquired about the role of K-12. The school's shift to a traditional curriculum was asked about as well as questioning if such a change was a major modification. Mr. Carwell expressed that they were looking into these concerns further and would be following up on these questions. Board members expressed their concerns about the school and its students. Several Board members also commented that they do not feel the school should be considered a new charter, but understand the specifications of calling them new under the charter law. Mr. Carwell stated that the school has a clear plan for meeting the needs of all students. Mr. Melendez stated that what he needed to see was that the children at Moyer are learning and achieving. Dr. Gray explained that it is not clear what is new about the New Moyer and asked about the curriculum change and also questioned if it should have required a modification application. She noted that it would be helpful to see student performance and achievement data and see where they are and what their goals are under this new charter and leadership. There is also concern of the school's economic viability due to declining enrollment and the role of the management company K-12. It was recommended that Moyer provide a presentation to the Board in the near future. Secretary Murphy noted that the Board would receive an update as the Department follows up on these issues.

AMENDED: Recommendation for Formal Review of an Existing Charter: Pencader Business & Finance Charter High School (For Action)

Mr. Carwell stated that the Department is seeking consent of the State Board of Education to place the Pencader Business & Finance Charter School on formal review. The issues for the formal review include concerns relative to governance and administration, economic viability, and services for students with special needs. Mr. Carwell outlined the issues noting that the former school leader appeared to have acted unilaterally with limited oversight by current and

former members of the Pencader board; the current enrollment has dropped to 406 which is significantly below the authorized enrollment of 625 and has impacted the school's economic viability. Also the building level financial oversight which is a condition of their present probation is uncertain and it appears that the board does not know the full extent of the school's current financial obligations. The Department has posed specific questions to the school and has not received adequate responses. If the State Board consents, the formal review will be referred to the Charter School Accountability Committee for review and report. The formal review process will allow the Charter School Advisory Committee to document the issues and document proposed solutions and specific actions.

Secretary Murphy stated that he believed it would be appropriate to place the school on formal review. A motion was made by Mr. Heffernan to assent to the Secretary's recommendation and place Pencader Business and Finance Charter High School on formal review for the reasons discussed. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

The Board asked what exactly the formal review meant and Mr. Carwell explained that it was an investigatory process to see if remedial measures or others measures are recommended. Meetings will be scheduled and public hearings.

Information Items

Dr. Gray noted the information items in the agenda for the Board's review.

Adjournment

There be no further business, a motion was made by Mr. Hughes to adjourn the meeting. The motion was seconded by Mr. Melendez and carried unanimously. The meeting adjourned at 5:56 p.m.

Respectfully Submitted;

Mark T. Murphy, Executive Secretary
and Secretary of Education

An audio of the entire meeting is available on the State Board's website at: <http://www.doe.k12.de.us/infosuites/ddoe/sbe/default.shtml>